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Counsel for Defendants and Counterclaimants

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FEDERAL INSURANCE COMPANY, an
 Indiana corporation,

Plaintiffs,

v.

JEFFREY SHAW, et al.

Defendants.

INDIAN HARBOR INSURANCE
 COMPANY,

Plaintiffs,

v.

VICTORYIA WILLOCK, et al.

Defendants,

AND RELATED COUNTERCLAIMS

Case No. C 02-4548 JSW (Consolidated with
 C 04-2615 JSW)(Related to C 04-4085 JSW)

~~PROPOSED~~ **STIPULATED ORDER
 GRANTING EX PARTE APPLICATION
 TO STAY FEDERAL INSURANCE
 COMPANY V. JEFFREY SHAW, et al.
 (CASE NO. C 02-4548 JSW) PENDING
 BANKRUPTCY COURT APPROVAL OF
 SETTLEMENT
 [(CIVIL L.R. 7-10); FED. R. Civ. P. 16)]**

**Date: TBD
 Time: TBD
 Place: Courtroom 2
 450 Golden Gate Ave
 San Francisco, CA**

Judge: Hon. Jeffrey S. White

WHEREAS, the plaintiff in this action, Federal Insurance Company, and the defendants and counterclaimants in this action, the Official Committee of Unsecured Creditors of Tri Valley Growers ("Creditors Committee"), as a representative of the Estate of Tri Valley Growers, and Jeffrey Shaw, Joseph Guidetti, Jaswant Bains, Ajit Bains, Jeffrey Arambel, Carl Cilker, the Estate of James A. Cooley (Deceased) and Dolores Cooley, as personal representative of the Estate of James A. Cooley, E. Douglas Hemly, Erick Johnson, James Salisbury, James A. Schlindwein, Hugo Steensma, Ronald Timothy, Paul Van Konynenburg, Al Vangelos, Richard A. Gelhaus, and Victoria Willock, and Crown, Cork & Seal Company Inc. ("Crown"), (hereinafter collectively referred to as "Defendants and Counterclaimants"), have reached a settlement of this action conditioned upon approval by the United States Bankruptcy Court, as reflected in the Memorandum of Understanding dated May 27, 2005;

Federal and the Defendants and Counterclaimants stipulate to a stay of this action, including all discovery and other deadlines in this action, until such time as the United States Bankruptcy Court for the Northern District of California rules upon the motion to compromise controversy between these parties.

IT IS SO STIPULATED.

Dated: June 20, 2005

BARTKO, ZANKEL, TARRANT & MILLER
A Professional Corporation

By: 


Christopher D. Sullivan
Counsel for Defendants and Counterclaimants

Dated: June 20, 2005

STROOCK & STROOCK & LAVAN LLP

By

:


Mitchell J. Langberg
Counsel for Plaintiff and Counterclaim
Defendant Federal Insurance Company

WHEREAS, the plaintiff in this action, Federal Insurance Company, and the defendants and counterclaimants in this action, the Official Committee of Unsecured Creditors of Tri Valley Growers ("Creditors Committee"), as a representative of the Estate of Tri Valley Growers, and Jeffrey Shaw, Joseph Guidetti, Jaswant Bains, Ajit Bains, Jeffrey Arambel, Carl Cilker, the Estate of James A. Cooley (Deceased) and Dolores Cooley, as personal representative of the Estate of James A. Cooley, E. Douglas Hemly, Erick Johnson, James Salisbury, James A. Schlindwein, Hugo Steensma, Ronald Timothy, Paul Van Konynenburg, Al Vangelos, Richard A. Gelhaus, and Victoria Willock, and Crown, Cork & Seal Company Inc. ("Crown"), (hereinafter collectively referred to as "Defendants and Counterclaimants"), have reached a settlement of this action conditioned upon approval by the United States Bankruptcy Court, as reflected in the Memorandum of Understanding dated May 27, 2005;

Federal and the Defendants and Counterclaimants stipulate to a stay of this action, including all discovery and other deadlines in this action, until such time as the United States Bankruptcy Court for the Northern District of California rules upon the motion to compromise controversy between these parties.

IT IS SO STIPULATED.


Dated: June 20, 2005

BARTKO, ZANKEL, TARRANT & MILLER
A Professional Corporation

By: _____
Christopher D. Sullivan
Counsel for Defendants and Counterclaimants

Dated: June 20, 2005

STROOCK & STROOCK & LAVAN LLP

By: 
Mitchell J. Langberg
Counsel for Plaintiff and Counterclaim
Defendant Federal Insurance Company

1 Having received, read and considered Defendants and Counterclaimants' *ex parte*
2 application to stay proceedings pursuant to CIVIL L.R. 7-10 and FED. R. CIV. P. 16, and good cause
3 appearing therefore,

4 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that Defendants and
5 Counterclaimants' *ex parte* application to stay proceedings is GRANTED. This action shall be
6 stayed, including all discovery and other deadlines in this action, until such time as the United
7 States Bankruptcy Court for the Northern District of California rules upon the motion to
8 compromise controversy between these parties.

9 DATED: June 23, 2005

10 /s/ Jeffrey S. White

11 _____
12 THE HONORABLE JEFFREY S. WHITE
13 JUDGE OF THE DISTRICT COURT
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